

Compliance Assessment Report

Report ID:
CAR_NRW0035899

This form will report compliance with your permit as determined by an NRW officer

Site	Waterston Car Breakers	Permit Ref	WP3298FZ			
Operator/Permit holder	Phillip Horrocks					
Regime	Waste Operations					
Date of assessment	18/10/2019	Time in	12:15	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	Permitted Operations					
Lead officer's name	Wakeford, Sally					
Accompanied by	Morgan, David					
Recipient's name/position	Phillip Horrocks/ Operator	Date issued	31/10/2019			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.1.1 & 5.4.1
KEY: See Section 5 for breach categories, suspended scores will be indicated as such. A = Assessed or assessed in part (no evidence of non-compliance), X = Action only, O = Ongoing non-compliance, not scored.		

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

The site was inspected by Sally Wakeford and David Morgan on 18 October 2019. We were accompanied on site by Phillip Horrocks.

C4: Storage, Handling, Labelling and Segregation – Permit Condition 2.1.1 and 5.4.1 – CAT 3 breach

You have been given a category 3 breach against permit condition 2.1.1 for the storage of waste motor vehicles on areas which do not benefit from an impermeable pavement with a sealed drainage system.

Permit condition 2.1.1 refers to Table 2.1 which states:

“Storage of waste pending any of the operations number R1 to R12 (i) 16 01 04 End of Life vehicles – Maximum storage capacity 100 vehicles stored on an Impermeable Pavement with a sealed drainage system at any one time.”

Whilst on site a vehicle with no front-end leaking fluids into an area of hardstanding at the front of the site. There were no spill kits on site however these are on order. You stated you would move the vehicle into the depollution bay as soon as possible.

ACTION: ensure all vehicles destined for depollution should only be stored on an impermeable pavement with a sealed drainage system.

ACTION: Clear up any residual oil from the leaking vehicle.

ACTION: Ensure spill kits are always available on site.

You have been given a category 3 breach against permit condition 5.4.1 because whilst on site it was stated that the brake fluid and oil were stored in the same tanks and were not labelled.

Permit condition 5.4.1 refers to Table 5.4 which states:

“all fluids drained from vehicles shall be segregated by type and stored in separate, appropriate tanks which are fit for purpose. The tanks shall be clearly and unambiguously labelled regarding their contents.”

ACTION: Ensure all fluids are kept separately, and the tanks are labelled.

The mixing of hazardous and non-hazardous wastes in this manner is also a breach of the Hazardous Waste Regulations and should not happen, fluids should be collected separately and also not mixed at the point of collection.

Other observations:

The site notice board was not in place at the front of the site, however it had just fallen down, please replace.

The area of hardstanding at the rear of the site where de-polluted cars are stored was free and clear from oils and grease.

Welsh Tyre Recycling collect the tyres

Slicker collect the brake fluid and oils.

A site diary should be kept as per permit condition. Please ensure you keep a note of any breakdowns, malfunctions or environmental incidents occurring on site. You stated you would use a note book and buy a diary in the new year.

Photographs of site inspection:





Thank you for taking the time to accompany us around the site.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

EPR Compliance Assessment Report

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Operator/Permit holder	Phillip Horrocks	Date	18/10/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C4	C3	ensure all vehicles destined for depollution should only be stored on an impermeable pavement with a sealed drainage system. Clear up any residual oil from the leaking vehicle. Ensure spill kits are always available on site. Ensure all fluids are kept separately, and the tanks are labelled.	30/11/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.